

HOUSE BILL No. 1011

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-2-12.

Synopsis: Sex offender registry. Requires that a recent photograph and home address of an individual convicted of certain sex offenses and other crimes be included in publications of the sex and violent offender registry. Requires a local law enforcement authority to publish a photograph of an offender on an Internet site maintained by or for the local law enforcement authority. Requires a local law enforcement authority to request permission to publish a photograph of an offender in a local periodical and broadcast a photograph on a local television station.

Effective: July 1, 2002.

Herrell

January 8, 2002, read first time and referred to Committee on Courts and Criminal Code.

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Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

HOUSE BILL No. 1011

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 5-2-12-5, AS AMENDED BY P.L.238-2001,
2 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2002]: Sec. 5. (a) Subject to section 13 of this chapter, the
4 following persons must register under this chapter:

5 (1) A sex and violent offender who resides or intends to reside for
6 more than seven (7) days in Indiana.

7 (2) A sex and violent offender not described in subdivision (1)
8 who works or carries on a vocation or intends to work or carry on
9 a vocation full-time or part-time for a period of time:

10 (A) exceeding fourteen (14) consecutive days; or

11 (B) for an aggregate period of time exceeding thirty (30) days;
12 during any calendar year in Indiana, whether the offender is
13 financially compensated, volunteered, or is acting for the purpose
14 of government or educational benefit.

15 (3) A sex and violent offender not described in subdivision (1)
16 who is enrolled or intends to be enrolled on a full-time or
17 part-time basis in any public or private educational institution,



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including any secondary school, trade, or professional institution,
or institution of higher education in Indiana.

(b) A sex and violent offender who resides or intends to reside in
Indiana shall register with each local law enforcement authority having
jurisdiction in the area where the sex and violent offender resides or
intends to reside.

(c) A sex and violent offender described in subsection (a)(2) shall
register with the local law enforcement authority having jurisdiction in
the principal area where the sex and violent offender is or intends to be
employed or carry on a vocation.

(d) A sex and violent offender described in subsection (a)(3) shall
register with the local law enforcement authority having jurisdiction in
the principal area where the sex and violent offender is enrolled or
intends to be enrolled as a student.

(e) A sex and violent offender shall register on a form or in the form
prescribed or approved by the institute. Each local law enforcement
authority shall make the required forms available to registrants.

(f) The sex and violent offender shall register not more than seven
(7) days after the sex and violent offender arrives at the place where the
sex and violent offender is required to register under subsection (b),
(c), or (d).

(g) Whenever a sex and violent offender registers with a local law
enforcement authority, the local law enforcement agency shall
immediately notify the institute of the sex and violent offender's
registration on a form or in the form prescribed or approved by the
institute.

**(h) A local law enforcement authority shall publish a
photograph of a sex and violent offender on an Internet site that is
maintained by or for the local law enforcement authority.**

(i) A local law enforcement authority shall notify:

**(1) a newspaper or other periodical of general circulation that
is published within the jurisdiction of the local law
enforcement authority; and**

**(2) a television station that broadcasts within the jurisdiction
of the local law enforcement authority;**

**regarding each sex and violent offender who resides within the
jurisdiction of the local law enforcement authority. In the notice,
the local law enforcement authority must request that the
newspaper or periodical and the television station publish or
televise a photograph of the sex and violent offender.**

SECTION 2. IC 5-2-12-6, AS AMENDED BY P.L.238-2001,
SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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JULY 1, 2002]: Sec. 6. The registration required under this chapter must include the following information:

(1) The sex and violent offender's full name, alias, date of birth, sex, race, height, weight, eye color, Social Security number, driver's license number, and home address.

(2) A description of the offense for which the sex and violent offender was convicted, the date of conviction, the county of the conviction, the cause number of the conviction, and the sentence imposed, if applicable.

(3) If the person is required to register under section 5(a)(2) or 5(a)(3) of this chapter, the name and address of each of the sex and violent offender's employers in Indiana, the name and address of each campus or location where the sex and violent offender is enrolled in school in Indiana, and the address where the sex and violent offender stays or intends to stay overnight in Indiana for more than seven (7) days.

(4) **A recent photograph of the offender.**

(5) Any other information required by the institute.

SECTION 3. IC 5-2-12-11, AS AMENDED BY P.L.238-2001, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 11. (a) The institute shall make the sex and violent offender registry available on a computer disk. Each time the registry is updated under section 10 of this chapter, the institute shall send one (1) paper copy of the sex and violent offender registry to:

(1) all school corporations (as defined in IC 20-1-6-1);

(2) all nonpublic schools (as defined in IC 20-10.1-1-3);

(3) a state agency that licenses individuals who work with children;

(4) the state personnel department to screen individuals who may be hired to work with children;

(5) all child care facilities licensed by or registered in the state of Indiana; and

(6) other entities that:

(A) provide services to children; and

(B) request the registry.

(b) The institute shall publish the sex and violent offender registry on the Internet through the computer gateway administered by the intelenet commission under IC 5-21-2 and known as Access Indiana.

(c) A copy of the sex and violent offender registry provided:

(1) on a computer disk;

(2) on the Internet; or

(3) to an entity under subsection ~~(a)(5)~~ or ~~(a)(6)~~ or published



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- 1 ~~under subsection (b) may not (a);~~
- 2 **must include a recent photograph and** the home address of a sex and
- 3 violent offender whose name appears in the registry.

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